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January 30, 2019

BY ECF & EMAIL

The Honorable Stuart M. Bernstein
U.S. Bankruptcy Court for the Southern District of New York
One Bowling Green, Courtroom 723
New York, New York 10004-1408

Re: SIPC v. Bernard L. Madoff Investment Securities LLC, No. 08-1789 (SMB);
Picard v. Natixis Financial Products LLC, No. 10-5353 (SMB)

Dear Judge Bernstein:

Natixis Financial Products LLC (“Natixis FP”) respectfully reiterates its request for a brief telephone conference to be heard on the issues raised in its letter, dated January 24, 2019 (the “January 24 Letter”). In the letter the Trustee submitted to Court the today, he does not, because he cannot, explain how Natixis FP’s request made promptly upon review of the Trustee’s proposed amended complaint (the “Amended Complaint”) to streamline the procedure to file a motion dismiss, could possibly delay resolution of this action. In fact, as set forth in its January 24 Letter, Natixis FP is willing to consent to the Amended Complaint without prejudicial conditions as sought by the Trustee, which would moot the Trustee’s motion for leave to amend (the “Motion for Leave”).

We also note that the Trustee did not seek Natixis FP’s consent to file a “corrected” Amended Complaint, *see* Dkt. No. 174, and thus such exhibit should not be recognized as part of the Trustee’s Motion for Leave. Nonetheless, for sake of judicial economy, Natixis FP is willing to consent to the “corrected” Amended Complaint in the manner set forth in its January 24 Letter.

Respectfully submitted,

/s/ James R. Serritella

James R. Serritella

cc: Counsel for Trustee (by ECF and email)